REMARKS

Claims 1-31 were submitted for examination. Claims 1-31 have been rejected. Claims 1-8 and 18-31 have been cancelled without prejudice. Claims 9 and 15 have been amended. New claims 32-34 have been added. No new matter has been added.

Reconsideration and reexamination of the above-referenced patent application, is respectfully requested.

35 U.S.C. § 112 Rejection

Claim 1 has been cancelled. Claim 20 has been cancelled. Applicant submits that the 112 rejection has been overcome.

35 U.S.C. § 102(a)/(e) Rejection – Lelievre

Claims 1-31 have been rejected by the Examiner under 35 U.S.C. 102(a)/(e) as being anticipated by U.S. Application No. 2003/0040272 to Lelievre, et al. ("Lelievre").

Independent claim 9 recites in part:

> "determining location information corresponding to a first geographic location using a positioning system at a first time;
> discovering one or more services available at the first geographic location;
> associating the discovered one or more services with the location information; and
> storing information about the discovered one or more services and the associated location information in a storage device."

(Emphasis added).

Lelievre teaches a location aware radio system having a GPS module, a radio receiver module and a database (FIGS. 1 and 2). Lelievre teaches that the database is used to store lists of broadcast stations and the frequency of their carrier waves. Such information may typically be obtained from governmental

agencies that regulate radio transmissions in a particular jurisdiction (Par. 44). Thus, the database taught by Lelievre populated with data already known and available. Applicant submits that this is different from the database or storage device as claimed in claim 9. More specifically, the information about network services and location information are stored in the storage device when they are discovered.

Applicant submits that, at least for the above reason, the 102(a)/(e) rejection has been overcome and that claim 9 and its dependent claims 10-14 are patentable over Lelievre. For the same reason, applicant submits that independent claims 15 and 32 and their dependent claims 16-17 and 33-34 respectively, are also patentable over Lelievre.

35 U.S.C. § 102(a) Rejection - Dutta

Claims 1-31 have been rejected by the Examiner under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 6,501,421 to Dutta et al. ("Dutta")

Dutta teaches a system that gets applicable law based on a user's activity and user's location. In Figure 5B, Dutta teaches compiling the applicable legal information and pushing that information to the user's mobile device. Dutta, however, does not teach saving the legal information along with the position information. Saving the information may be beneficial when the user is at the same position a next time because the system may not need to repeat the compilation process.

Applicant submits that, at least for the above reason, the 102(a) rejection has been overcome and that claim 9 and its dependent claims 10-14 are patentable over Dutta. For the same reason, applicant submits that independent claims 15 and 32 and their dependent claims 16-17 and 33-34 respectively, are also patentable over Dutta.

35 U.S.C. § 102(a) Rejection - Slupe

Claims 1-31 have been rejected by the Examiner under 35 U.S.C. 102(a) as being anticipated by U.S. Application No. 2003/0032399 to Slupe ("Slupe")

Slupe teaches selecting radio stations for reception based on preferred content. A list of radio station identifier is stored in a memory and organized according to program content specifiers (Abstract; Figure 3, Figure 4; Par. 30). In Figure 4, Slupe also shows a list of radio stations and their frequency. Slupe, however, does not teach how the information is entered into the memory. More specifically, Slupe does not teach the memory or database is stored with data as they are discovered at a certain location.

Applicant submits that, at least for the above reason, the 102(a) rejection has been overcome and that claim 9 and its dependent claims 10-14 are patentable over Slupe. For the same reason, applicant submits that independent claims 15 and 32 and their dependent claims 16-17 and 33-34 respectively, are also patentable over Slupe.

35 U.S.C. § 102(a) Rejection - Lyons

Claims 1-31 have been rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,282,412 to Lyons ("Lyons")

Lyons teaches a broadcast receiver that can operate with an internal database memory or a removable database memory card. Lyons also teaches that information concerning a number of AM or FM broadcast stations, or both, is loaded at corresponding memory addresses. The stations may be ones that can be received adequately at certain locations along an automobile route that a listener is planning to drive between two specified cities (Col. 2, lines 23-65). Thus, in Lyons, the memory or database is already populated with known data prior to the listener traveling the route. Lyons, however, does not teach that the

memory or database is stored with data as they are discovered at a certain location along the route.

Applicant submits that, at least for the above reason, the 102(b) rejection has been overcome and that claim 9 and its dependent claims 10-14 are patentable over Lyons. For the same reason, applicant submits that independent claims 15 and 32 and their dependent claims 16-17 and 33-34 respectively, are also patentable over Lyons.

35 U.S.C. § 102(b) Rejection - Morita

Claims 1-31 have been rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,864,753 to Morita et al. ("Morita")

Morita teaches a radio tuning system that includes a speech recognizing unit to receive speech via a microphone and a communication unit to communicate with a base station. The base station receives a request recognized by the speech recognizing unit and a current position of the radio system. The base station then retrieves from the database data concerning broadcast time and the frequency of the radio station based on the position and then sends the retrieved data to the radio system (Col. 3, lines 5-55). Thus, the database is already populated with data already known and available. Morita, however, does not teach how the broadcast data is entered into the database. More specifically, Morita does not teach the database is stored with data as they are discovered at a certain location.

Applicant submits that, at least for the above reason, the 102(b) rejection has been overcome and that claim 9 and its dependent claims 10-14 are patentable over Morita. For the same reason, applicant submits that independent claims 15 and 32 and their dependent claims 16-17 and 33-34 respectively, are also patentable over Morita.

CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call David Tran at (408) 765-4692.

Authorization is hereby given to charge our Deposit Account No. 50-0221 for any charges that may be due.

Respectfully submitted,

Date: October 13, 2004

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